

March 20, 2015

Via Email and FedEx

Margaret Herring
Civil Investigator
U.S. Environmental Protection Agency, Region 5
Superfund Division
Enforcement and Compliance Assurance Branch (SE-5J)
77 West Jackson Blvd.
Chicago, IL 60604-3590

Re: Kimberly-Clark Response to U.S. EPA Special Notice Letter
and Request for Information for the South Dayton Dump &
Landfill Site in Moraine, Ohio

Dear Ms. Herring:

Kimberly-Clark Corporation ("K-C") received a Request to Provide Information under Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") from the United States Environmental Protection Agency ("U.S. EPA"), dated January 16, 2015 ("Information Request"). The Information Request was received by K-C on January 19, 2015, and pursuant to email correspondence from Tom Nash on February 13, 2015, U.S. EPA granted K-C an extension of time to respond to the Information Request until March 20, 2015. Kimberly-Clark's response to the Information Request is enclosed herewith.

As discussed in my March 2, 2015, letter to Ms. Leslie Patterson responding to U.S. EPA's request that K-C indicate its willingness to participate in a new RI/FS for the South Dayton Dump & Landfill site (the "SDDL" or the "Site"), no party – not U.S. EPA, nor plaintiffs in an associated contribution law suit, nor K-C – has identified any evidence credibly linking K-C to the Site. Moreover, Kimberly-Clark Corporation has not owned or operated a facility in the Dayton, Ohio, area for more than 20 years, and there is therefore very limited information available about K-C's former mills' operations and waste disposal practices.

The Information Request contains a number of questions that are not limited to information relating to the Site, and are therefore overly broad and unduly burdensome. U.S. EPA has the authority under CERCLA to request information or documents relating to "[t]he identification, nature and quantity of materials which have been or are generated, treated, stored or disposed of at a vessel or facility or transported to a vessel or facility," and "[t]he nature or extent of



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a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility.” 41 U.S.C. § 9604(e)(2). Therefore, K-C has provided information in the enclosed response relating to the Site.

If you have any questions regarding this response or need any clarification, please contact me at (608) 258-4239 or sslack@foley.com.

Best regards,

A handwritten signature in cursive script, reading 'Sarah Slack'.

Sarah A. Slack

Enclosures

cc: Thomas Nash
Howard Sharfstein

**RESPONSE OF
KIMBERLY-CLARK TO
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REQUEST TO PROVIDE INFORMATION PURSUANT TO SECTION 104(e)(2)
OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE,
COMPENSATION AND LIABILITY ACT**

MARCH 20, 2015

Kimberly-Clark Corporation (“K-C”) has prepared the following response to the U.S. Environmental Protection Agency’s (“U.S. EPA”) Request to Provide Information Pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”) dated January 16, 2015, and received by K-C on January 19, 2015.

This response is subject to the clarifications provided in correspondence from Mr. Tom Nash dated February 13, 2015.

These clarifications are:

1. All of the information requested is for the time period of January 1, 1941 until December 31, 1996.
2. All of the information requested is limited to facilities located within 50 miles of the South Dayton Dump & Landfill (“SDDL” or the “Site”). K-C formerly owned and operated 3 such facilities: the Moraine Mill in West Carrollton, Ohio; Karolton Envelope in Miamisburg, Ohio; and Brown Bridge in Troy, Ohio.
3. U.S. EPA agreed that parties were not required to respond to Requests No. 16(p) and (q) related to wastes disposed to sewer drains.

GENERAL OBJECTIONS

1. K-C’s objections are made without in any way waiving or intending to waive, but on the contrary, preserving and intending to preserve:
 - (a) all questions or objections as to competency, relevancy, materiality, privilege, and admissibility as evidence for any purpose of the responses or subject matter thereof, in any subsequent proceeding involving K-C;
 - (b) the right to object on any ground to the use of these responses or the subject matter thereof, in any subsequent proceeding involving K-C; and
 - (c) the right to object on any ground at any time to other requests or discovery procedures involving or relating to the subject of these responses.

2. K-C objects to any requirement to produce documents or information already in the possession of a government agency or already in the public domain.
3. K-C objects to Instruction 6 on the ground that U.S. EPA has no authority to impose a continuing obligation on K-C to supplement these responses. K-C will, of course, comply with any lawful future requests that are within U.S. EPA's authority.
4. K-C objects to Instruction 7 in that it purports to require K-C to contact former employees. U.S. EPA has no authority to require K-C to seek documents or information in the possession, custody, or control of former employees, agents, servants, contractors, or attorneys, none of whom are within the custody or control of K-C. Given the number of former employees, agents, servants, contractors, and attorneys that K-C has employed over the relevant time period this instruction is unduly burdensome.
5. K-C objects to the definitions of "identify" in Definitions 8, 9 and 10 because they are overly broad and unduly burdensome.
6. These responses are based on and, therefore, necessarily limited by, the records and information still in existence, presently recollected, and thus far discovered in the course of preparing these responses. Consequently, K-C reserves the right to supplement and make any changes to these responses if it appears at any time that omissions or errors have been made or that more accurate information is available.
7. K-C objects to each and every instruction and request to the extent that it seeks information that is not relevant or otherwise beyond that authorized by CERCLA, including information about sites other than the one that is the subject of this Information Request, the SDDL.
8. K-C objects to each and every instruction and request to the extent that it seeks information protected by the attorney-client privilege, the attorney work product doctrine, or any other applicable privilege or restriction, and K-C has not included in this response copies of any such documents protected by such privileges, doctrines, or restrictions.
9. K-C objects to each and every request to the extent that such requests are overly broad and unduly burdensome, and especially to requests related to sites other than SDDL.
10. K-C objects to this Information Request to the extent it lacks any definitions for the terminology utilized in the requests, such that K-C is unable to determine what information is being sought by U.S. EPA. Nothing in this response or in any subsequent or previous response to the Information Request shall be considered or deemed to be a waiver of these objections.

The following responses correspond to each of the numbered requests in Enclosure 6 of the Information Request (the Information Request language is set forth in italics). These responses were prepared with the assistance and advice of counsel and such discussions are covered by attorney-client and attorney work product privileges.

RESPONSE

REQUEST NO. 1: *Identify all persons consulted in the preparation of the answers to these questions.*

Response No. 1: The following persons assisted in the preparation of this response: Cynthia Jernigan, Kimberly-Clark Remediation Program Manager; Pauline Turner, Administrative Assistant for Kimberly-Clark; Sandra Mackey, Administrative Assistant for Kimberly-Clark; Susan Gaynor, Paralegal for Kimberly-Clark, and James R. Bath, Director Environmental Sustainability Environmental Control for Kimberly-Clark. The business address for all of these individuals is: Kimberly-Clark Corporation, 1400 Holcomb Bridge Road, Roswell, GA 30076.

REQUEST NO. 2: *Identify all documents consulted, examined or referred to in the preparation of the answers to these questions, and provide copies of all such documents.*

Response No. 2: K-C objects to this Request as overly broad and unduly burdensome, and as seeking information beyond U.S. EPA's authority under CERCLA.

Subject to and limited by the foregoing objection, K-C has not identified any documents credibly connecting K-C to the Site. Although K-C reviewed a number of documents in preparation of these answers, none of the documents reviewed related to the Site and therefore K-C is not providing any documents in response to this Request.

REQUEST NO. 3: *If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question or who may be able to provide additional responsive documents, identify such persons. Provide their current, or last known, address, telephone numbers, and e-mail address.*

Response No. 3: K-C objects to the extent this Request seeks information outside of K-C's custody, possession or control.

Subject to and limited by the foregoing objection, K-C has no reason to believe that there may be persons able to provide more detailed or complete responses to any question or who may be able to provide additional responsive documents.

REQUEST NO. 4: *Provide names, addresses, telephone numbers, and e-mail addresses of any individuals, including former and current employees, who may be knowledgeable about Respondent's operations and hazardous substances handling, storage and disposal practices.*

Response No. 4: K-C objects to the extent this request seeks information outside of K-C's custody, possession or control, or to the extent this request seeks to have K-C contact former employees.

Subject to and limited by the foregoing objection, K-C does not own or operate any production facilities within 50 miles of the SDDL, and has not owned or operated any such facilities for 20 or more years. As such, K-C has very limited information regarding the facilities' historic operations and hazardous substances handling, storage and disposal practices. K-C refers U.S. EPA to K-C's Amended Response to Plaintiffs' Requests for Responses to Interrogatories and Requests for Production of Documents, a copy of which is attached hereto as Exhibit A, which may provide additional information responsive to this request.

REQUEST NO. 5: *State the date(s) on which the Respondent sent, brought or moved drums and/or hazardous substances to the South Dayton Dump and Landfill (SDDL) Site and the names, addresses, telephone numbers, and e-mail addresses of the person(s) making arrangements for the drums and/or hazardous substances to be sent, brought or moved to the SDDL Site*

Response No. 5: K-C has not identified that it sent any waste to the SDDL and therefore has no information responsive to this Request.

REQUEST NO. 6: *Did Respondent haul or send materials to SDDL in vehicles it owned, leased or operated? If yes, during what time periods did this occur? If no, how did Respondent transport materials to SDDL? Identify the hauler(s) and provide the addresses, telephone numbers, and e-mail addresses of these entities.*

Response No. 6: K-C has not identified information that it sent any waste to the SDDL and therefore has no information responsive to this Request.

PERMITS/REGISTRATIONS

REQUEST NO. 7: *List all federal, state and local permits and/or registrations and their respective permit numbers issued to Respondent for the transport and/or disposal of materials.*

Response No. 7: The Brown Bridge facility was assigned the following U.S. EPA Generator ID: OHD088648282.

REQUEST NO. 8: *Which shipments or arrangements were sent under each permit? If what happened to the hazardous substances differed from what was specified in the permit, please state, to the best of your knowledge, the basis or reasons for such difference.*

Response No. 8: K-C objects to this Request as overly broad and unduly burdensome, and that it seeks information beyond the scope of U.S. EPA's authority under CERCLA.

Subject to and limited by the foregoing objection, K-C has not identified that it sent any waste to the SDDL and therefore has no information responsive to this Request.

REQUEST NO. 9: *Were all hazardous substances transported by licensed carriers to hazardous waste Treatment Storage and Disposal Facilities permitted by the U.S. EPA?*

Response No. 9: K-C objects to this Request as overly broad and unduly burdensome, and that it seeks information beyond the scope of U.S. EPA's authority under CERCLA.

Subject to and limited by the foregoing objection, K-C has not identified that it sent any waste to the SDDL and therefore has no information responsive to this Request.

REQUEST NO. 10: *List all federal, state and local permits and/or registrations and their respective permit numbers issued for the transport and/or disposal of wastes.*

Response No. 10: K-C objects to this Request as duplicative of Request No. 7.

Subject to and limited by the foregoing objection, see Response No. 7.

REQUEST NO. 11: *Does your company or business have a permit or permits issued under Resource Conservation and Recovery Act? Does it have or has it ever had, a permit or permits under the hazardous substance laws of the State of Ohio? Does your company or business have an EPA Identification Number, or an identification number supplied by the State Environmental Protection Agency? Supply any such identification number(s) your company or business has.*

Response No. 11: K-C objects to this Request as duplicative of Request No. 7.

Subject to and limited by the foregoing objection, see Response No. 7.

REQUEST NO. 12: *Identify whether Respondent ever filed a Notification of Hazardous Waste Activity with the EPA or the corresponding agency or official of the State of Ohio, the date of such filing, the wastes described in such notice, the quantity thereof described in such notice, and the identification number assigned to such facility by EPA or the state agency or official.*

Response No. 12: K-C objects to this request as overly broad and unduly burdensome.

Subject to and limited by the foregoing objection, see Response No. 7.

RESPONDENT'S DISPOSAL/TREATMENT/STORAGE/RECYCLING/SALE OF WASTE (INCLUDING BY-PRODUCTS)

REQUEST NO. 13: *Identify all individuals who currently have and those who have had responsibility for Respondent's environmental matters (e.g. responsibility for the disposal, treatment, storage, recycling, or sale of Respondent's wastes). Also provide each individual's job title, duties, dates performing those duties, supervisors for those duties, current position or the date of the individual's resignation, and the nature of the information possessed by such individuals concerning Respondent's waste management. For each individual identified in response to this question provide the current or most recent known address, telephone number and e-mail address.*

Response No. 13: K-C no longer owns or operates any facilities within 50 miles of the

SDDL, and has not owned or operated any such facilities for at least 20 years. See also

Response No. 4.

REQUEST NO. 14: *Describe the containers used to take any type of waste from Respondent's operation, including but not limited to:*

- a. the type of container (e.g. 55 gal. drum, dumpster, etc.);*
- b. the colors of the containers;*
- c. any distinctive stripes or other markings on those containers;*
- d. any labels or writing on those containers (including the content of those labels);*
- e. whether those containers were new or used; and*
- f. if those containers were used, a description of the prior use of the containers.*

Response No. 14: K-C objects to this request as overly broad and unduly burdensome, and that it seeks information beyond the scope of U.S. EPA's authority under CERCLA.

Subject to and limited by the foregoing objection, K-C has not identified that it sent any waste to the SDDL, and therefore has no information responsive to this Request.

REQUEST NO. 15: *For any type of waste describe Respondent's contracts, agreements, or other arrangements for its disposal, treatment, or recycling. Provide copies of all documents relating to the transportation or disposal of said waste, including correspondence and manifests. Include all correspondence and records of communication between Respondent and Cyril Grillot, Kenneth Grillot, Alcine Grillot, or Horace Boesch, Sr.*

Response No. 15: K-C has not identified that it sent any waste to the SDDL and therefore has no information responsive to this Request.

REQUEST NO. 16: *Provide copies of such contracts and other documents reflecting such agreements or arrangements.*

- g. State where Respondent sent each type of its waste for disposal, treatment, or recycling.*
- h. Identify all entities and individuals who picked up waste from Respondent or who otherwise transported the waste away from Respondent's operations (these companies and individuals shall be called "Waste Carriers" for purposes of this Information Request).*
- i. If Respondent transported any of its wastes away from its operations, please so indicate and answer all questions related to "Waste Carriers" with reference to Respondent's actions.*
- j. For each type of waste specify which Waste Carrier picked it up.*
- k. For each type of waste, state how frequently each Waste Carrier picked up such waste.*
- l. For each type of waste state the volume picked up by each Waste Carrier (per week, month, or year).*

- m. *For each type of waste state the dates (beginning & ending) such waste was picked up by each Waste Carrier.*
- n. *Provide copies of all documents containing information responsive to the previous seven questions.*
- o. *Describe the vehicles used by each Waste Carrier to haul away each type of waste including but not limited to:*
 - i. *the type of vehicle (e.g., flatbed truck, tanker truck, containerized dumpster truck, etc.);*
 - ii. *names or markings on the vehicles; and*
 - iii. *the color of such vehicles.*
- j. *Identify all of each Waste Carrier's employees who collected Respondent's wastes.*
- k. *Indicate the ultimate disposal/recycling/treatment location for each type of waste.*
- l. *Provide all documents indicating the ultimate disposal/recycling/treatment location for each type of waste.*
- m. *Describe how Respondent managed pickups of each waste, including but not limited to:*
 - i. *the method for inventorying each type of waste;*
 - ii. *the method for requesting each type of waste to be picked up;*
 - iii. *the identity of (see Definitions) the waste carrier employee/agent contacted for pickup of each type of waste;*
 - iv. *the amount paid or the rate paid for the pickup of each type of waste;*
 - v. *the identity of (see Definitions) Respondent's employee who paid the bills;*
and
 - vi. *the identity of (see Definitions) the individual (name or title) and company to whom Respondent sent the payment for pickup of each type of waste.*
- n. *Identify the individual or organization (i.e., the Respondent, the Waste Carrier, or, if neither, identify such other person) who selected the location where each of the Respondent's wastes were taken.*
- o. *State the basis for and provide any documents supporting the answer to the previous question.*
- p. *Describe all wastes disposed by Respondent into Respondent's drains including but not limited to:*
 - i. *the nature and chemical composition of each type of waste;*
 - ii. *the dates on which those wastes were disposed;*
 - iii. *the approximate quantity of those wastes disposed by month and year;*
 - iv. *the location to which these wastes drained (e.g. on-site septic system, onsite storage tank, pre- treatment plant, Publicly Owned Treatment Works (POTW), etc.); and*
 - v. *whether and what pretreatment was provided.*

- q. *Identify any sewage authority or treatment works to which Respondent's waste was sent.*
- r. *If not already provided, specify the dates and circumstances when Respondent's waste was taken to the SDDL Site, and identify the companies or individuals who brought Respondent's waste to the Site. Provide all documents which support or memorialize your response.*

Response No. 16: K-C objects to this Request to the extent it is overly broad and unduly burdensome, and to the extent it seeks information beyond U.S. EPA's authority under CERCLA.

Subject to and limited by the foregoing objection, K-C refers U.S. EPA to Exhibit A for information potentially responsive to this request.

RESPONDENT'S ENVIRONMENTAL REPORTING:

REQUEST NO. 17: *Provide all Resource Conservation and Recovery Act (RCRA) Identification Numbers issued to Respondent by EPA or a state for Respondent's operations.*

Response No. 17: K-C objects to this Request to the extent it is duplicative of Request No. 7.

Subject to and limited by the foregoing objection, see Response No. 7.

REQUEST NO. 18: *Identify (see Definitions) all federal offices to which Respondent has sent or filed information about hazardous substance or hazardous waste.*

Response No. 18: K-C objects to this Request to the extent it is overly broad and unduly burdensome, and to the extent it seeks information beyond U.S. EPA's authority under CERCLA.

Subject to and limited by the foregoing objection, K-C has not identified that it sent any waste to the SDDL and therefore has no information responsive to this Request

REQUEST NO. 19: *State the years during which such information was sent/filed.*

Response No. 19: See Response No. 18.

REQUEST NO. 20: *Identify (see Definitions) all state offices to which Respondent has sent or filed hazardous substance or hazardous waste information.*

Response No. 20: See Response No. 18.

REQUEST NO. 21: *Identify (see Definitions) all state offices to which Respondent has sent or filed hazardous substance or hazardous waste information.*

Response No. 21: See Response No. 18.

REQUEST NO. 22: *Identify (see Definitions) all state offices to which Respondent has sent or filed hazardous substance or hazardous waste information.*

Response No. 22: See Response No. 18.

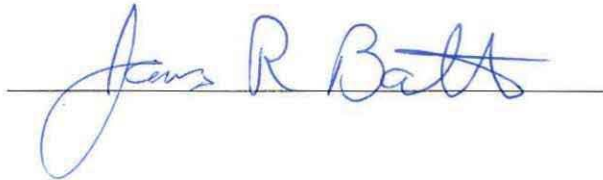
REQUEST NO. 23: *Identify (see Definitions) all state offices to which Respondent has sent or filed hazardous substance or hazardous waste information.*

Response No. 23: See Response No. 18.

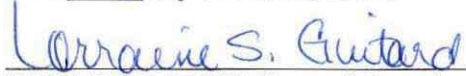
CERTIFICATION

I certify under penalty of law that this document and all attachments were created under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted.

Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



Subscribed and sworn to before me
This 24 day of March, 2015.


NOTARY PUBLIC, State of Georgia
My Commission is/expires 1/30/2016
LS8



UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

HOBART CORPORATION,)	
KELSEY-HAYES COMPANY, and)	
NCR CORPORATION,)	
)	
Plaintiffs,)	
)	Case No. 3:13-cv-115
vs.)	
)	(Judge Walter H. Rice)
THE DAYTON POWER AND LIGHT)	
COMPANY, et al.,)	
)	
Defendants.)	

**DEFENDANT KIMBERLY-CLARK CORPORATION'S AMENDED
RESPONSES TO PLAINTIFFS' INTERROGATORIES AND REQUEST FOR
PRODUCTION OF DOCUMENTS**

Defendant Kimberly-Clark Corporation ("Kimberly-Clark") responds to Plaintiffs' Hobart Corporation, Kelsey-Hayes Company and NCR Corporation (collectively "Plaintiffs"), Interrogatories and Request for Production of Documents to Defendant Kimberly-Clark Corporation (the "Discovery Requests") as follows.

Kimberly-Clark has made reasonably diligent efforts to research documents and data and to respond appropriately to all Discovery Requests. Kimberly-Clark and its attorneys have not, however, concluded discovery and investigation in preparation for trial, nor completed their analysis of documents produced by other parties to date. Kimberly-Clark has not been able to identify any current employees who worked in any of Kimberly-Clark's Dayton area facilities (see *infra*, Response No. 5) from 1941 - 1996, and because those facilities were all divested 20 to

40 years ago, few responsive documents have been located. Many of the responsive documents were found in files related to other superfund sites or environmental clean-ups.

Documents in many instances are produced on a “sufficient to show basis.” Not every map, diagram, test result, or list of chemicals has been produced. Instead, representative documents are produced. Additional production would be unduly burdensome, unnecessary, and cumulative. It would yield no additional evidence advancing either side’s position in this litigation.

As discussed in further detail in Kimberly-Clark’s response to Interrogatory No. 16, Kimberly-Clark is, or has been, involved with investigations or/or remediations at a number of former waste disposal sites in the Dayton, Ohio area. As one would expect, there are and were ongoing, regular communications involving Kimberly-Clark’s legal department and outside counsel regarding the company’s responses to Ohio Environmental Protection Agency (“OEPA”) and the United States Environmental Protection Agency (“EPA”) investigations of these sites. Kimberly-Clark objects to undertaking the burdensome task of logging for privilege these communications. It also objects to requesting the files of consultants and outside counsel which worked on these sites as unduly burdensome, duplicative, unnecessary and disproportionate to the needs of this litigation.

These responses, therefore, are the responsive documents which were located based upon documents presently available to Kimberly-Clark and its attorneys and specifically known to Kimberly-Clark. Kimberly-Clark’s efforts to research documents and data and to respond to these Discovery Requests are ongoing. Kimberly-Clark will update and supplement its responses to the Discovery Requests to the extent the Federal Rules of Civil Procedure require.

The inadvertent disclosure of confidential, privileged or work product information or the release of confidential, privileged or work product documents shall not constitute a waiver of any privilege or of the right to move for a protective order or designate any document as confidential.

Kimberly-Clark's specific objections to each of Plaintiffs' Discovery Requests are in addition to the general limitations and objections set forth in the following General Objections, which limitations and objections form a part of the response to each and every Discovery Request. The following objections are not waived, limited, or restricted by any of the more specific responses or objections to any particular Discovery Request.

GENERAL OBJECTIONS

1. Kimberly-Clark objects to Plaintiffs' Discovery Requests to the extent that they seek information that is not relevant to the subject matter of this litigation, not reasonably calculated to lead to the discovery of admissible evidence, or is otherwise beyond the scope of permissible discovery.

2. Kimberly-Clark objects to Plaintiffs' Discovery Requests to the extent that they seek the disclosure of information that is protected as privileged by statute or common law, including information that is subject to the attorney-client privilege, the attorney work product doctrine, the joint defense privilege, or any other privilege or immunity.

3. Kimberly-Clark objects to Plaintiffs' Discovery Requests to the extent that they seek confidential, proprietary, trade secret, or commercially sensitive business documents or information.

4. Kimberly-Clark objects to Plaintiffs' Discovery Requests, including the instructions and definitions therein, to the extent that they are overly broad, vague, duplicative, unreasonably burdensome, oppressive, or will cause unnecessary expense.

5. Kimberly-Clark objects to Plaintiffs' Discovery Requests to the extent that they seek information or require production of documents already in the public domain or which are obtainable by Plaintiffs from a source other than Kimberly-Clark at no greater inconvenience, burden, or expense than Plaintiffs seeks to impose on Kimberly-Clark.

6. Kimberly-Clark objects to Plaintiffs' Discovery Requests to the extent they seek documents or information already in the possession or control of Plaintiffs. Furthermore, Kimberly-Clark objects to Plaintiffs' Discovery Requests to the extent that they seek to impose upon Kimberly-Clark the obligation to provide information based upon, or identify or produce, documents previously provided by other parties including but not limited to any of the other defendants in these actions. For example, many parties previously have provided extensive information and documentation in response to governmental information requests and discovery in prior related cases, which information is available to Plaintiffs. Kimberly-Clark's responses to these discovery requests are limited to its own information or documentation in its possession, custody, or control, not to information or documentation provided by other parties.

7. Kimberly-Clark objects to Plaintiffs' Discovery Requests to the extent that they are unlimited in time scope, or overbroad in time scope.

8. Kimberly-Clark objects to Plaintiffs' Discovery Requests to the extent that they seek to alter or exceed the scope of the obligations placed on Kimberly-Clark by the Federal Rules of Civil Procedure, applicable law, or orders of the Court, including, but not limited to, any obligations Kimberly-Clark may have to supplement or amend its answers.

9. Kimberly-Clark objects to Plaintiffs' Discovery Requests to the extent that it is cumulative or duplicative of another request.

10. Kimberly-Clark objects to Plaintiffs' Discovery Requests to the extent that it would require the production of documents or information that is not kept by Kimberly-Clark in the ordinary course of business, or seeks information in a manner other than the manner in which documents are kept in the ordinary course of business.

11. Kimberly-Clark objects to Plaintiffs' Discovery Requests to the extent that they are argumentative, lack foundation or incorporate allegations and assertions that are in dispute.

12. A specific reference to a particular General Objection in the following responses is not intended to exclude the application of other General Objections to that response or of the General Objections to other responses. To the extent that Kimberly-Clark responds to a Discovery Request to which it objects, such objections are not waived by furnishing information or providing documents.

Subject to and without waiving the foregoing General Objections, Kimberly-Clark specifically objects and responds as follows.

INTERROGATORIES

INTERROGATORY NO. 1: Identify all persons who prepared or assisted in the preparation of the response to these consolidated discovery requests, indicating, for each person, to which discovery requests he or she assisted in responding.

RESPONSE NO. 1: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark states as follows: Cynthia Jernigan, Kimberly-Clark Remediation Program Manager, Pauline Turner, Administrative Assistant for Kimberly-Clark, Sandra Mackay, Administrative Assistant for Kimberly-Clark, Susan Gaynor, Paralegal for Kimberly-Clark, and James R. Bath, Director Environmental Sustainability Environmental Control for Kimberly-Clark, assisted in the preparation of the responses to Plaintiffs' Discovery Requests. Their business address is:

Kimberly-Clark Corporation, 1400 Holcomb Bridge Road, Roswell, GA 30076. All of these individuals assisted by identifying and retrieving archived documents for review.

Michael Lueder and Sarah Slack of Foley & Lardner LLP are Kimberly-Clark's outside legal counsel in this matter. Mr. Lueder and Ms. Slack drafted responses to these interrogatories based on a review of the historical information found in documents that Kimberly-Clark employees gathered, and which are being produced in response to these requests.

No individual was found who could provide a substantive response to any interrogatory except No. 5, for which some had the general knowledge of Kimberly-Clark having owned the facilities discussed therein.

INTERROGATORY NO. 2: Identify all persons, companies, or entities, including, but not limited to, those currently or formerly employed by You, who may have knowledge of any facts relating to disposal of Your Waste at the Site, or who may have had any involvement with any arrangements for the disposal of Your Waste at the Site, and /or any Waste which was or may have been disposed of at the Site.

RESPONSE NO. 2: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Interrogatory No. 2 to the extent it seeks information beyond Kimberly-Clark's knowledge, or information outside the possession, custody or control of Kimberly-Clark.

Subject to and limited by the foregoing General Objections and the specific objection, Kimberly-Clark states that it has not identified any person, company or entity who may have knowledge of any facts relating to disposal of the company's Waste at the Site, or who may have had any involvement with any arrangements for the disposal of its Waste at the Site, and /or any of the company's Waste which was or may have been disposed of at the Site.

INTERROGATORY NO. 3: Identify each person from whom You have obtained a written, recorded, videotaped, and/or transcribed statement relating to the Site.

RESPONSE NO. 3: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark states as follows: Kimberly-Clark has not obtained a written, recorded, videotaped, and/or transcribed statement relating to the Site from any person, except for transcripts of depositions taken by other parties in this case.

INTERROGATORY NO. 4: Identify and describe in detail all communications between You and the USEPA or the Ohio EPA relating to the Site.

RESPONSE NO. 4: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark states as follows: Kimberly-Clark has not had any communications with USEPA or Ohio EPA relating to the Site.

INTERROGATORY NO. 5: Identify the location of every production facility that You owned or operated within 50 miles of the Site, for the years 1941-1996.

RESPONSE NO. 5: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark states as follows:

- Kimberly-Clark owned and operated the Moraine Mill (“Moraine Mill”) from 1959 until 1972, which was located in West Carrollton, Ohio. Kimberly-Clark does not know the address of the Moraine Mill.
- Kimberly-Clark owned and operated the American Envelope Co./Karolton Envelope facility (“Karolton Envelope”) from 1961 until 1993, which was located in Miamisburg, Ohio (manufacturing facility) and West Carrollton, Ohio (office and distribution centers that were consolidated into a Miamisburg, Ohio location in 1985). Its addresses were 511 Byers Road, Miamisburg, Ohio, 45348, 503 W. Sycamore, Miamisburg, Ohio, 45342, and 99 S. Elm Street., West Carrollton, Ohio, 45449.

- Kimberly-Clark owned and operated the Brown Bridge facility (“Brown Bridge”) from 1971 until 1994, which had addresses of 518 E. Water Street, Troy, Ohio and 30 Maryhill Drive, Troy, Ohio.

INTERROGATORY NO. 6: Describe in detail the nature of all production process and/or business operations that occurred at each production facility identified in response to interrogatory No. 5 or, if Your business operations did not involve a production facility, the nature of all business operations in which You have engaged at that facility, for the years 1941 through 1996.

RESPONSE NO. 6: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Additional documents sufficient to show the production processes and/or business operations have been produced in the form of brochures and reports. Pursuant to Fed. R. Civ. P. 33(d), the answer to this interrogatory may be derived or ascertained from a review of those documents.

Subject to and limited by the foregoing General Objections, Kimberly-Clark states as follows: Kimberly-Clark no longer owns or operates any of the production facilities listed in Response No. 5, and has very limited information regarding these facilities. However, Kimberly-Clark is in the consumer paper and products industry, and understands that the Moraine Mill produced pulp and recycled paper products used in recordkeeping, general office communications and commercial printers, and coated paper such as gift wrappings. Karolton Envelope produced envelopes. Brown Bridge produced pressure, moisture and heat-sensitive adhesive-coated stocks for labels and related applications.

INTERROGATORY NO. 7: Describe in detail all Waste, including physical and chemical composition, that result or resulted from each of the production processes and/or business operations identified and described in response to Interrogatory No. 6.

RESPONSE NO. 7: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Interrogatory No. 7 as overly broad, unduly burdensome, seeking information that is not relevant to this case, and as unlimited in time. This answer is based in entirety on the documents produced in discovery, including

responses to 104(e) requests, hauler records, internal documents, shipping manifests, environmental reports, material safety data sheets, EPA and OEPA communications. Further answers to this request may be derived or ascertained through a review of those documents.

Subject to and limited by the foregoing General Objections and specific objections, Kimberly-Clark states as follows: Kimberly-Clark does not own or operate any production facilities within 50 miles of the Site, and has not owned or operated any such facilities for 20 or more years. As such, Kimberly-Clark has limited information regarding the production facilities' operations and waste streams.

Kimberly-Clark states, on information and belief, that the Waste from the Moraine Mill, Karolton Envelope, and Brown Bridge may have included waste materials from the paper production processes, including but not limited to printing inks, adhesives, and solvents. Kimberly-Clark refers the Plaintiffs to the documents provided in response to Request No. 17 for additional information.

INTERROGATORY NO. 8: Identify all person(s) who performed or were responsible for general maintenance at each production facility and/or in the business operations identified in response to Interrogatory Nos. 5 and 6 and the period(s) of such performance or responsibility.

RESPONSE NO. 8: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Interrogatory No. 8 to the extent the term "general maintenance" is not defined, and is subject to varying interpretations.

Subject to and limited by the foregoing General Objections and the specific objection, Kimberly-Clark states as follows: Kimberly-Clark does not own or operate any production facilities within 50 miles of the Site, and has not owned or operated any such facilities for 20 or more years. As such, Kimberly-Clark has very limited information regarding the facilities' operations and waste streams. The following persons may have performed or been responsible for the general maintenance of the Moraine Mill, Karolton Envelope, or Brown Bridge:

- Irvin R. Brown, Brown Bridge, signed waste manifests, 412 Holmes Place, Sidney, OH, 45365
- William J. Walters, Brown Bridge Plant Engineer (1980-1982), signed waste manifests
- Maurice V. Reynolds, Brown Bridge Plant Engineer (1982-1983), Environmental Manager, signed waste manifests. 1899 Reserve Blvd., Apt. 111, Gulf Breeze, FL, 32563
- Nick D. Gallagher, Brown Bridge, Technical Director, deceased
- James P. Wilt, Brown Bridge, President and General Manager, deceased
- G. C. Thorstad, Brown Bridge, Mill Manager (1985), 885 Hickory Hollow Rd., Troy, OH
- Richard F. Owens, Brown Bridge, Manufacturing Engineer, deceased
- Richard S. Sternasty, Brown Bridge, Chief Chemist/Senior Scientist; Manager of Environmental Health and Safety, deceased
- Roger E. Yount, Brown Bridge, Operations Manager, 302 Robinhood Lane, Troy, OH
- John Zucker, Brown Bridge (employed 11/88 to 05/91), Manager of Environmental Health and Safety; 282 Ascott Lane, Woodstock, GA, 30189
- John E. Carter, Brown Bridge, Mill Manager, P.O. Box 251, Michigamme, MI, 49861.
- Klenk, Ronald W., Brown Bridge, Mill Manager, 4816 Marybrook Drive, Kettering, OH, 45429
- Monin, Wayne, Brown Bridge, Maintenance Supervisor
- Palm, Richard H., Training Coordinator, 1780 Tearow Circle, Fairborn, OH, 45324-9628
- Silkey, Robert D., Brown Bridge, Mill Manager, 364 Village Drive, Frankfort, KY, 40601
- Tarvin, Robert F., Technical Director, deceased
- Dick Kohl, Karolton Envelope, Manager, 1970-1980, 765 Marshview Close, Roswell, GA, 30076
- Robert Beobe, Karolton Envelope, General Manager
- Robert Neubauer, Moraine Mill, Mill Manager
- Ron Carter, Head of Technology, Karolton Envelope, deceased

- John R. Lindenberg, Moraine Mill, 170 Cedar Crest Drive, Glenwood Springs, CO, 81601.
- Timothy Mund, Karolton Envelope, Purchasing Agent – signed waste disposal purchase orders (1986), 201 Frost Woods Road, #217, Monona, WI, 53716

INTERROGATORY NO. 9: Identify all person(s) who performed or were responsible for purchasing supplies, raw materials and/or services at each production facility and/or in the business operations identified in response to Interrogatory Nos. 5 and 6 and the period(s) of such performance or responsibility.

RESPONSE NO. 9: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Interrogatory No. 9 to the extent the terms “supplies, raw materials and/or services” are not defined and are subject to varying interpretations.

Subject to and limited by the foregoing General Objections, Kimberly-Clark states as follows: Kimberly-Clark does not own or operate any production facilities within 50 miles of the Site, and has not owned or operated any such facilities for 20 or more years. As such, Kimberly-Clark has very limited information regarding the production facilities’ operations and waste streams. See Kimberly-Clark’s answer to Interrogatory No. 8 for potentially responsive information.

INTERROGATORY NO. 10: Identify all person(s) currently or formerly employed by You or by another person or entity who performed or were responsible for the following during 1941 through 1996: managing, driving, maintaining and/or dispatching any vehicle(s) that transported Waste from each production facility and/or the business operations identified in response to Interrogatory Nos. 5 and 6, whether the transportation was by You or another person or entity, and state the period(s) of such performance or responsibility.

RESPONSE NO. 10: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Interrogatory No. 10 to the extent it seeks information beyond Kimberly-Clark’s knowledge, or information outside the possession, custody, or control of Kimberly-Clark.

Subject to and limited by the foregoing General Objections, Kimberly-Clark states as follows: Kimberly-Clark does not own or operate any production facilities within 50 miles of the Site, and has not owned or operated any such facilities for 20 or more years. As such, Kimberly-Clark has very limited information regarding the facilities' operations and waste streams. See Kimberly-Clark's answer Interrogatory No. 8 for potentially responsive information.

INTERROGATORY NO. 11: Provide a detailed description, including, without limitation, color, size, load capacity, insignia or logo, vehicle type (e.g., dump truck, packer, front-end loader, roll-off, lugger, box truck, flat bed), vehicle model and model year, of any vehicle(s) that, during 1941 through 1996, transported Waste from each production facility and/or the business operations identified in response to Interrogatory Nos. 5 and 6, whether the transportation was by You or another person or entity, and state the period of such transport.

RESPONSE NO. 11: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark states as follows: Kimberly-Clark does not own or operate any production facilities within 50 miles of the Site, and has not owned or operated any such facilities for 20 or more years. As such, Kimberly-Clark has very limited information regarding the production facilities' operations and waste streams. At this time, Kimberly-Clark has not identified any information regarding the details of the vehicles that transported Waste from the Moraine Mill, Karolton Envelope and Brown Bridge facilities during the period in which Kimberly-Clark owned and operated those facilities. Further answering, Kimberly-Clark identifies document KC000_____ as a photograph of a third party truck used sometime in 1995, 1996 or 1997 to remove contaminated soil from the former Brown Bridge facility located at 518 E. Water Street, Troy, Ohio (the "Brown Bridge Remediation Site") as part of Kimberly-Clark's remediation efforts at the Brown Bridge Remediation Site. Waste manifests for all Brown Bridge Remediation Sites are produced in response to Request No. 11.

INTERROGATORY NO. 12: Identify all persons or entities with whom You contracted to pick up and/or dispose of Waste generated at each production facility and/or in the course of the business operations identified in response to Interrogatory Nos. 5 and 6.

RESPONSE NO. 12: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark states as follows: Kimberly-Clark does not own or operate any production facilities within 50 miles of the Site, and has not owned or operated any such facilities for 20 or more years. As such, Kimberly-Clark has limited information regarding the production facilities' operations and waste streams. Kimberly-Clark, upon information and belief based solely on the documents produced, may have retained the following persons or entities during the time period in question to pick up and/or dispose of waste generated at its production facilities or in the course of its business operation:

Commercial Waste Removal, a Division of W.B.T., Inc.
P.O. Box 354
Celina, Ohio, 45822
(419) 925-4592
Began handling Brown Bridge non-hazardous waste in 1978
(Brown Bridge)

Bunker Hill Disposal, Inc., a Division of W.B.T., Inc.
Celina, Ohio, 45822
(Brown Bridge)

Enviro Chem Corp., W.B.T., Inc.,
865 South State Road
RR 1, Box 197A
Zionsville, Indiana
Boone County, 46077
(317) 769-6153
(Brown Bridge)

Industrial Waste Disposal Co., Inc.
P.O. Box 14577
Dayton, OH 45414
(Karolton Envelope/Brown Bridge)

Laidlaw Environmental Services, Inc.
2815 Old Greenbrier Pike
Greenbrier, TN 37073-4514
(Brown Bridge) (1997)

North Sanitary Landfill Company
(Moraine Mill) (1970-1972)

Solvent Resource Recovery, Inc.
P.O. Box 453
West Carrollton, OH, 45449
(Brown Bridge)

Klor-Kleen, Inc., Cincinnati, OH

Koogler Suburban Refuse Removal
4800 Industrial Lane
Dayton, OH 45430
(Karolton Envelope)

Republic Environmental Services, Inc.
716 N. Irwin Street
Dayton, OH 45403

Chemical Waste Management, Inc.
P.O. Box 55
Emelle, AL 35459
(Brown Bridge)

Safety-Kleen Corp.
4205 Lisa Drive
Tipp City, OH 45371
(Brown Bridge)

CWM Resource Recovery
7301 Infirmary Road
West Carrollton, OH 45449
(Brown Bridge)

Wayne Disposal, Inc.
49350 North Service Drive
Belleville, MI 45111
(Brown Bridge)

Safety-Kleen Enviro Systems
State Highway 146

New Castle, KY 40050
(Brown Bridge)

Chemical Waste Management of New Jersey, Inc.
100 Lister Avenue
Newark, NJ 07105
(Brown Bridge)

Tricil, Inc.
4350 Edgewyn Avenue
Hilliard, OH 43026
(Brown Bridge)

SCA Chemical Services, Inc.
CWM Chemical Services, Inc.
11700 South Story Island Avenue
Chicago, IL 60617
(Brown Bridge)

Technical Environmental Systems
500 Battleground Road
Laporte, TX 77572
(Brown Bridge)

Trade Waste Incineration
47 Mobile Avenue
Sauget, IL 62201
(Brown Bridge)

Spring Grove Resource Recovery
4879 Spring Grove Avenue
Cincinnati, OH 45332
(Brown Bridge)

Cameron-Yakima
1414 South 1st Street
Yakima, WA 98907
(Brown Bridge)

Clean Harbors of Natick, Inc.
10 Mercer Road
Natick, MA 01760

Bethlehem Apparatus Co., Inc.
890 Front Street
Hellertown, PA 18055

ENSCO
American Oil Road
El Dorado, AZ 71730
(Brown Bridge)

Safety Kleen Corp.
3700 LaGrange Road
Smithfield, KY 40068

Safety Kleen Corp.
581 Millikin Drive
Hebron, OH 43025

Environmental Enterprises, Inc.
4650 Spring Grove Avenue
Cincinnati, OH 45232

Ecolotec, Inc.
636 Irwin Street
Dayton, OH 45403

Jay Foster
228 South Oak Street
Troy, OH 45373
(Brown Bridge to Miami County Incinerator)

Raymond Ferguson (deceased)
Route 2, Box 75
Lebanon, VA 24266
(Brown Bridge to Miami County Incinerator)

Avey Services, Inc.
430 South Crawford Street
Troy, OH 45373
(Brown Bridge to Miami County Incinerator)

Sussman, Inc.
600 West Statler Road
Piqua, OH 45356
(Brown Bridge to Miami County Incinerator)

INTERROGATORY NO. 13: Identify all environmental audits, investigations, inspections, and air, water, soil, or sediment tests performed by any person upon the property and/or production facility and/or business operations of all production facilities or business operations identified in response to Interrogatory Nos. 5 and 6, from 1941 through 1996.

RESPONSE NO. 13: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Interrogatory No. 13 because it is overboard and seeks information not reasonably calculated to lead to discovery of admissible evidence. The claims and defenses alleged in the above-captioned lawsuit are limited to environmental matters at the Site, not Kimberly-Clark's former facilities. Absent further clarification from Plaintiffs, Kimberly-Clark is unable to respond to Interrogatory No. 13.

INTERROGATORY NO. 14: State whether any of Your Waste was sent to, arrived at, or came to be disposed of or located at the Site at any time, whether transported by You or another person.

RESPONSE NO. 14: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark states as follows: Kimberly-Clark does not own or operate any production facilities within 50 miles of the Site, and has not owned or operated any such facilities for 20 or more years. As such, Kimberly-Clark has very limited information regarding the production facilities' operations and waste streams. At this time, Kimberly-Clark has not identified any information indicating or suggesting that any of Kimberly-Clark's Waste was sent to the Site.

INTERROGATORY NO. 15: If Your answer to Interrogatory # 14 is "no" or anything other than an unqualified "yes," set forth completely and in detail the factual basis for your answer.

RESPONSE NO. 15: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark states as follows: Kimberly-Clark does not own or operate any production facilities within 50 miles of the Site, and has not owned or operated any such facilities for 20 or more years. As such, Kimberly-Clark has limited information regarding the production facilities operations' and waste streams.

Further answering, Kimberly-Clark reviewed archived documents for information related to the Site, and did not identify any information related to the Site.

INTERROGATORY NO. 16: If Your answer to Interrogatory # 14 is “no” or anything other than an unqualified “yes,” identify, for the period 1941 through 1996:

- a. Any and all locations where Your Waste was sent; and,
- b. Any and all persons or entities who transported your Waste to any location.

RESPONSE NO. 16: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark states as follows: Kimberly-Clark does not own or operate any production facilities within 50 miles of the Site, and has not owned or operated any such facilities for 20 or more years. As such, Kimberly-Clark has limited information regarding the production facilities’ operations and waste streams. Further answering, Kimberly-Clark states, upon information and belief based on the documents produced in response to discovery, that its Waste may have been sent to the following places:

- Petro-Chem Environmental
- Rock Hill, South Carolina
- Hilltop Disposal Site
- Enviro Chem, a/k/a Third Site/Finely Creek
- Miami County Incinerator Landfill
- Great Lakes Asphalt
- Liquid Disposal Asphalt
- Tremont City Barrel Landfill
- Sanitary Landfill, a/k/a Cardington Road Landfill
- Valleycrest Landfill, a/k/a North Sanitary Landfill and 960 Brandt Pike
- Pinnacle Road Landfill

- WTP 4000 Hydraulic Road
1961-63
- Hydraulic Road
1.1 miles of the old Hydraulic Canal
- Vance Road
Behind Frank Nicholas School
- Hilltop Gravel Pit
1969-75
- Farmersville West Carrollton Road
1976-79 (Karolton Envelope)
- Carl Miller
7580 Meyer Road
Middletown, OH
1980 – March to Nov.
(Karolton Envelope)

See also Response to Interrogatory No. 11 regarding persons or entities who may have transported waste to any location.

INTERROGATORY NO. 17: If Your answer to Interrogatory # 14 is “yes” or anything other than an unqualified “no,” identify:

1. Any and all persons or entities who transported Your Waste to the Site;
2. The time period(s) during which Your Waste went to the Site;
3. For each period (e.g., by year, month, etc.), the approximate volume of Your Waste that went to the Site;
4. a description of the production process and/or business operation that generated Your Waste that went to the Site; and,
5. The physical and chemical composition of Your Waste that went to the Site.

RESPONSE NO. 17: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark states as follows: Kimberly-Clark does not own or operate any production facilities within 50 miles of the Site, and has not owned or operated any such facilities for 20 or more years. As such, Kimberly-Clark has very limited information regarding the production facilities operations and

waste streams. Further answering, Kimberly-Clark incorporates its answers from Responses No. 10, 11, 12, 14, 15 and 16.

INTERROGATORY NO. 18: Identify each fact witness You intend to call at the trial of this case, the anticipated subject matter of that witness's testimony, and each document that in any way relates to that witness's testimony in the case.

RESPONSE NO. 18: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Interrogatory No. 18 because it is premature and beyond the scope of Kimberly-Clark's duty to respond at this time.

Subject to and limited by the foregoing General Objections and this specific objection, Kimberly-Clark states as follows: Kimberly-Clark has not determined its fact witnesses and will identify them when the Court's scheduling order requires.

INTERROGATORY NO. 19: Identify each expert witness You intend to call at the trial of this case, the anticipated subject matter of that witness's testimony, and each document that in any way relates to that witness's testimony in the case.

RESPONSE NO. 19: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Interrogatory No. 19 because it is premature and beyond the scope of Kimberly-Clark's duty to respond at this time.

Subject to and limited by the foregoing General Objections and this specific objection, Kimberly-Clark states as follows: Kimberly-Clark has not determined its expert witnesses and will identify them when the Court's scheduling order requires.

INTERROGATORY NO. 20: 20. Identify all documents You intend to use as exhibits at the trial of this case.

RESPONSE NO. 20: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Interrogatory No. 20 because it is premature and beyond the scope of Kimberly-Clark's duty to respond at this time.

Subject to and limited by the foregoing General Objections and this specific objection, Kimberly-Clark states as follows: Kimberly-Clark has not determined its exhibits and will identify them when the Court's scheduling order requires.

REQUESTS FOR DOCUMENTS

REQUEST NO.1: All documents relating to the Site including but not limited to the disposal and/or the arrangement for disposal of any materials by any person at the Site.

RESPONSE NO. 1: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects due to the length of time that has elapsed since the relevant events occurred; as indicated in the responses to Interrogatories, very limited information is available.

Subject to and limited by the foregoing General Objections and the specific objection, Kimberly-Clark has not located any responsive documents.

REQUEST NO.2: All documents relating to the Site including but not limited to all documents relating to materials which at any time had been located or generated at any of your facilities and which materials were disposed of, or may have been disposed of at the Site.

RESPONSE NO. 2: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects due to the length of time that has elapsed since the relevant events occurred; as indicated in the responses to Interrogatories, very limited information is available.

Subject to and limited by the foregoing General Objections, Kimberly-Clark has not located any responsive documents.

REQUEST NO.3: All documents relating to any Waste disposal company with whom you contracted to pick up and/or dispose of materials which were located or generated at each production facility or business operation identified in response to Interrogatory Nos. 5 and 6.

RESPONSE NO. 3: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark will produce responsive documents found after a reasonable search.

REQUEST NO.4: All material safety data sheets relating to each of the production processes and/or business operations identified in response to Interrogatory Nos. 5 and 6.

RESPONSE NO. 4: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark states as follows: Kimberly-Clark does not own or operate any facilities within 50 miles of the Site, and has not owned or operated any such facilities for 20 or more years. As such, Kimberly-Clark has very limited information regarding the facilities operations' and waste streams. Kimberly-Clark will produce responsive documents found after a reasonable search.

REQUEST NO.5: All documents relating to the layout or description (e.g., blueprints) of each production facility or business operation that you identified in response to Interrogatory Nos. 5 and 6, for the time period from 1941 through 1996.

RESPONSE NO. 5: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to this request as unduly burdensome as it seeks cumulative, duplicative documents. As such Kimberly-Clark will produce responsive documents on a "sufficient to show basis."

Subject to and limited by the foregoing General Objections, Kimberly-Clark will produce responsive documents found after a reasonable search to the extent sufficient to show the layout or description of each production facility or business operation identified.

REQUEST NO.6: All documents relating to all permits for each of the production process and/or business operations identified in response to Interrogatory Nos. 5 and 6.

RESPONSE NO. 6: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark will produce responsive documents found after a reasonable search.

REQUEST NO.7: All documents relating to any inspections and/or investigations of each of the production facilities and/or business operations identified in response to Interrogatory Nos. 5 and 6 by any person, including but not limited to the U.S. EPA, the Ohio EPA, or the Occupational, Safety & Health Administration, through the present time.

RESPONSE NO. 7: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Request No. 7 because it seeks information that is not relevant to the above-captioned lawsuit. Request No. 7 fails to include language limiting the Request to documents relating to waste disposal practices at the Site.

Kimberly-Clark further objects to this request as overbroad, unduly burdensome, and unnecessary. The Brown Bridge Remediation Site is the location of an ongoing cleanup, and it has been the subject of government inquiries for over 30 years. In addition, the Moraine Mill, Karolton Envelope and Brown Bridge are all involved in investigations relating to waste disposal at various remediation sites around the country. Files related to inspections and investigations of these facilities are easily available to Plaintiffs through public record requests; further answering, files related to this request are cumulative and duplicative to information which is already being produced.

REQUEST NO.8: All documents relating to the methodology and results of any tests, studies, modeling, and/or analyses of waste streams resulting from each of the production processes and/or business operations identified and described in response to Interrogatory Nos. 5 and 6.

RESPONSE NO. 8: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Request No. 8 because it seeks information that is not relevant to the above-captioned lawsuit. Request No. 8 fails to include language limiting the Request to documents relating to waste disposal practices at the Site.

Kimberly-Clark further objects to this request as overbroad, unduly burdensome, and unnecessary. The Brown Bridge Remediation Site is the location of an ongoing cleanup, and it has been the subject of government inquiries for over 30 years. In addition, the Moraine Mill, Karolton Envelope and Brown Bridge are all involved in investigations relating to waste disposal at various remediation sites around the country. Files related to inspections and investigations of these facilities are easily available to Plaintiffs through public record requests; further answering, files related to this request are cumulative and duplicative to information which is already being produced.

REQUEST NO.9: All documents relating to the identification of hazardous substances and/or materials that were disposed of or may have been disposed of at the Site.

RESPONSE NO. 9: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Request No. 9 because it is not limited to documents relating to the identification of hazardous substances and/or materials purportedly disposed of at the Site by Kimberly-Clark.

Subject to and limited by the foregoing General Objections and specific objections, Kimberly-Clark has not identified any hazardous substances and/or materials that were disposed of or may have been disposed of at the Site.

REQUEST NO.10: All documents relating to the disposal of materials at the Site which were generated by or located at any of your facilities or business operations.

RESPONSE NO. 10: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark has not identified any hazardous substances and/or materials that were disposed of or may have been disposed of at the Site.

REQUEST NO.11: All documents relating to the disposal of materials which were generated from or located at any of your facilities to any disposal or recycling facility within 50 miles of the Site from 1941 through 1996, including but not limited to documents relating to any waste disposal company with whom you contracted to pick up and/or dispose of such materials from such facilities.

RESPONSE NO. 11: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to this request as overbroad and unduly burdensome, including that it seeks information not related to the Site.

Subject to and limited by the foregoing General Objections and specific objections, Kimberly-Clark will produce any and all disposal records it has found after a reasonable search.

REQUEST NO.12: All written, recorded, videotaped, and/or transcribed statements, affidavits and/or testimony from any person relating to the Site.

RESPONSE NO. 12: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark has no such records beyond deposition transcripts from depositions which were taken in this lawsuit.

REQUEST NO.13: All documents relating to any environmental audits, investigations, inspections, and air, water, soil, or sediment tests performed by any person upon the property, production facility or business operations at each of the production facilities and/or business operations identified in response to Interrogatory No. 5 and 6 is located, for the period from 1941 through 1996.

RESPONSE NO. 13: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Request No. 13 because it seeks information that is not relevant to the above-captioned lawsuit. Request No. 13 also fails to include language limiting the Request to documents relating to waste disposal practices at the Site.

Subject to and limited by the foregoing General Objections and specific objections, Kimberly-Clark incorporates by reference here its objections and responses to Interrogatory No. 13 and Request Nos. 8 and 9.

REQUEST NO.14: All documents relating to the purchase, cleaning, and/or handling or disposal of all containers used at each production facility and/or in the course of business operations identified in response to Interrogatory Nos. 5 and 6.

RESPONSE NO. 14: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Request No. 14 because it seeks information not relevant to the above-captioned lawsuit. Request No. 14 is also not limited to documents relating to the purchase, cleaning, and/or handling or disposal of all containers that may have been used to dispose of waste at the Site.

Subject to and limited by the foregoing General Objections and this specific objection, Kimberly-Clark incorporates by reference here its objections and responses to Interrogatory No. 9 and Request No. 1 above.

REQUEST NO.15: All documents relating to any communications that you have had with any person including but not limited to the USEPA, Ohio EPA, or any other Federal, State, or local government agency relating to the Site.

RESPONSE NO. 15: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark incorporates by reference here its objections and responses to Interrogatory No. 4 and Request Nos. 1 and 7 above.

REQUEST NO.16: All documents relating to the volume, chemical composition and/or toxicity of any materials which were at any time located or generated at any of your facilities and which materials were or may have been disposed of at the Site.

RESPONSE NO. 16: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark incorporates by reference here its objections and responses to Interrogatory No. 7 and Request No. 1 above.

REQUEST NO.17: All documents relating to, or identifying hazardous substances that were present and/or used in any of the production processes or and/or business operations identified in response to Interrogatory Nos. 5 and 6, for the period from 1941 through 1996.

RESPONSE NO. 17: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Request No. 17 because it is not limited to documents relating to the identification of hazardous substances and/or materials purportedly dispose of at the Site by Kimberly-Clark.

Subject to and limited by the foregoing General Objections, Kimberly-Clark states it will produce documents sufficient to show such hazardous substances.

REQUEST NO.18: All documents relating to the amount of production per year for each of the production processes and/or business operations identified and described in response to Interrogatory Nos. 5 and 6.

RESPONSE NO. 18: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Request No. 18 because it seeks information that is not relevant to the above-captioned lawsuit. Request No. 18 also includes the term “production per year,” which is not defined and is subject to varying interpretations. Absent further clarification from Plaintiffs, Kimberly-Clark is unable to respond to Request No. 18.

REQUEST NO.19: All documents relating to the amount of waste production per year for each of the production processes and/or business operations identified and described in response to Interrogatory Nos. 5 and 6.

RESPONSE NO. 19: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Request No. 19 because it seeks information that is not relevant to the above-captioned lawsuit. Request No. 19 also includes the

term “waste production,” which is not defined and is subject to varying interpretations. Absent further clarification from Plaintiffs, Kimberly-Clark is unable to respond to Request No. 19.

REQUEST NO.20: All documents (including but not limited to all shipping manifests, invoices, bills of lading, and other similar documents) relating to the handling, storage, treatment, transportation, and/or disposal of any hazardous wastes and/or solid wastes from any production facility or in the course of any business operations identified in response to Interrogatory Nos. 5 and 6.

RESPONSE NO. 20: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Request No. 20 because it is not limited to documents relating to the handling, storage, treatment, transportation, and /or disposal of any hazardous wastes and/or solid wastes from any production facility or in the course of any business operations identified in response to Interrogatory Nos. 5 and 6 to the Site by Kimberly-Clark.

Subject to and limited by the foregoing General Objections and specific objections, these will be produced.

REQUEST NO.21: All documents relating to your daily practices for handling any waste materials at any production facility or in the course of any business operations identified in response to Interrogatory Nos. 5 and 6.

RESPONSE NO. 21: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Request No. 21 because it is not limited to documents relating to waste that may have been transported to the Site by Kimberly-Clark.

Subject to and limited by the foregoing General Objections and specific objection, Kimberly-Clark incorporates by reference here its objections and responses to Interrogatory Nos. 2, 7, 10, 11, 12, 14, 15, 16 and 17. Any responsive documents will be produced.

REQUEST NO.22: All documents relating to personnel responsible for the receiving, handling, treatment, transportation, disposal and/or for arranging for disposal of Waste from any production facility or in the course of business operations identified in response to Interrogatory Nos. 5 and 6, for the period from 1941 through 1996.

RESPONSE NO. 22: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Request No. 21 because it is not limited to documents relating to Waste that may have been transported to the Site by Kimberly-Clark.

Subject to and limited by the foregoing General Objections and specific objection, Kimberly-Clark incorporates by reference here its objections and responses to Interrogatory Nos. 2, 7, 10, 11, 12, 14, 15, 16 and 17. Any responsive documents will be produced.

REQUEST NO.23: All photographs, blueprints, plans, design drawings, layout drawings, and/or representations, of each production facility that you identified in response to Interrogatory Nos. 5 and 6 for the period 1941 to 1996.

RESPONSE NO. 23: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Request No. 23 because it seeks information that is not relevant to the above-captioned lawsuit. Request No. 23 is also duplicative of Request No. 5.

Subject to and limited by the foregoing General Objections and specific objection, Kimberly-Clark incorporates by reference here its objections and responses to Request No. 5 above.

REQUEST NO.24: All photographs, drawings, representations and/or written descriptions of any vehicle(s) that transported Waste from each production facility and/or in the business operations identified in response to Interrogatory Nos. 5 and 6, whether transported by You or another person.

RESPONSE NO. 24: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections and specific objection, Kimberly-Clark incorporates by reference here its objections and responses to Interrogatory Nos. 10 and 11. Responsive documents will be produced.

REQUEST NO.25: All documents relating to personnel responsible for managing, driving, maintaining and/or dispatching any vehicle(s) that transported Waste from each

production facility and/or in the business operations identified in response to Interrogatory Nos. 5 and 6, whether transported by You or another person.

RESPONSE NO. 25: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark incorporates by reference here its objections and responses to Interrogatory Nos. 10 and 11. Responsive documents will be produced.

REQUEST NO.26: All documents relating to the receiving, handling, treatment, transportation, disposal and/or for arranging for disposal of Waste from any production facility or in the course of business operations identified in response to Interrogatory Nos. 5 and 6, for the period from 1941 through 1996.

RESPONSE NO. 26: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark incorporates by reference here its objections and responses to Interrogatory Nos. 10, 11 and 12. Responsive documents will be produced.

REQUEST NO.27: All documents You referred to or relied upon to formulate Your answers to the Interrogatories.

RESPONSE NO. 27: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark incorporates by reference here its objections and responses. Responsive documents will be produced.

REQUEST NO.28: All documents relating to Your document retention and/or destruction policies from 1941 through the present.

RESPONSE NO. 28: Kimberly-Clark restates and incorporates herein the foregoing General Objections.

Subject to and limited by the foregoing General Objections, Kimberly-Clark incorporates by reference here its objections and responses to Request No. 1 above. Such documents are privileged and will not be produced.

REQUEST NO.29: All documents You intend to use as exhibits at the trial of this matter.

RESPONSE NO. 29: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Request No. 29 because it is premature and beyond the scope of Kimberly-Clark's duty to respond at this time.

Subject to and limited by the foregoing General Objections and this specific objection, Kimberly-Clark has not determined its trial exhibits. They will be identified as required in the Court's scheduling order.

REQUEST NO.30: All documents You intend to use at the trial of the matter, whether You intend to mark them as trial exhibits or otherwise.

RESPONSE NO. 30: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Request No. 30 because it is premature and beyond the scope of Kimberly-Clark's duty to respond at this time. Moreover, this request seeks attorney work product.

Subject to and limited by the foregoing General Objections and this specific objection, Kimberly-Clark states as follows: Kimberly-Clark has not determined what documents it will use at trial.

REQUEST NO.31: All documents reflecting the name or names of person(s) who performed or were responsible for general maintenance at each production facility and/or in the business operations identified in response to Interrogatory Nos. 5 and 6 for the period 1941 to 1996.

RESPONSE NO. 31: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Request No. 31 because the term “general maintenance” is not defined and is subject to varying interpretations.

Subject to and limited by the foregoing General Objections, Kimberly-Clark incorporates by reference here its objections and responses to Interrogatory No. 8. Such documents will be produced.

REQUEST NO.32: All documents reflecting the name or names of person(s) who performed or were responsible for purchasing supplies, raw materials and/or services at each production facility and/or in the business operations identified in response to Interrogatory Nos. 5 and 6 for the period 1941 to 1996.

RESPONSE NO. 32: Kimberly-Clark restates and incorporates herein the foregoing General Objections. Kimberly-Clark further objects to Request No. 32 because the terms “supplies, raw materials and/or services” are not defined and are subject to varying interpretations.

Subject to and limited by the foregoing General Objections and this specific objection, Kimberly-Clark incorporates by reference here its objections and responses to Interrogatory Nos. 8 and 9 and Request No. 14 above. Such documents will be produced.

AS TO OBJECTIONS:

FOLEY & LARDNER

Dated: January 9, 2015.

/s/ Sarah A. Slack

Sarah A. Slack, Trial Attorney

Wis. Bar No. 1056510

(Pro Hac Vice)

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VERIFICATION

STATE OF GEORGIA)
) SS
FULTON COUNTY)

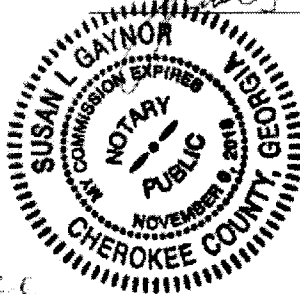
James R. Bath, after being first duly sworn, states that he is Environmental Director Sustainability Environmental Control for Kimberly-Clark Corporation and is authorized to make the above amended interrogatory answers on behalf of Kimberly-Clark Corporation, that the above answers have been prepared with the assistance of counsel, that the answers are based on information obtained from Kimberly-Clark Corporation's records, and that the answers are true to the best of his/her knowledge, information and belief.

Subscribed and sworn to before me this
9th day of January, 2015.



Notary Public

State of Georgia, County of Cherokee
My commission expires: 11-9-2018





CERTIFICATE OF SERVICE

I certify that today I caused a true and correct copy of Defendant Kimberly-Clark Corporation's Amended Response to Plaintiffs' Interrogatories and Request for Production of Documents to be served, by U.S. Mail and Email on the following:

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I also certify that today I caused a true and correct copy of the aforementioned document to be served by Email on the following parties in interest:

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Dated this ____ day of January, 2015.

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